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INA STEINER, DAVID STEINER, and
STEINER ASSOCIATES, LLC,

Plaintiffs,

Civil Action No. 21-CV-11181-PBS

v.

EBAY INC., et al.,

Defendants.
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MOTION OF PLAINTIFFS INA STEINER, DAVID STEINER, AND
STEINER ASSOCIATES, LLC TO FILE CERTAIN DOCUMENTS IN
SUPPORT OF ITS OPPOSITION TO EXCLUDE THE TESTIMONY
OF KRISTIN KUCSMA UNDER SEAL

Plaintiffs Ina Steiner, David Steiner, Steiner Associates, LLC ("Steiner") hereby move pursuant to Local Rule 7.2, for leave to file under seal certain exhibits (including referencing deposition transcripts) and portions of its briefs and memorandums in opposition to various motions for summary judgement.

As grounds for this motion, Steiner states as follows:

1. On February 13, 2025, Steiner opposed various motions for summary judgement. See Filed documents 522-532 inclusive. This opposition was/will be supported by exhibits. Although the plaintiff intends to file many of these exhibits publicly, it respectfully requests that the Court permit it to refile documents 522-532 under seal referencing exhibits under seal, until further order of the Court.

2. The exhibits Plaintiffs seek to file under seal are:

Docket 522 - MEMORANDUM in Opposition re [486](#) MOTION for Partial Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to eBay's Motion for Partial Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 523 - Statement of Material Facts L.R. 56.1 re [486](#) MOTION for Partial Summary Judgment *Plaintiff's Response to Deft eBay Statement of Proposed Undisputed Facts* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 524 - MEMORANDUM in Opposition re [490](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to the Motion of F.O.R.C.E. Concepts PFC for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

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Docket 525 - Statement of Material Facts L.R. 56.1 re [490](#) MOTION for Summary Judgment *Plaintiffs' Response to Deft Progressive F.O.R..CE. Concepts, LLC's Statement of Undisputed Material Facts in Support of Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 526 - MEMORANDUM in Opposition re [491](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Wenig's Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 527 - Plaintiffs' RESPONSE to Statement of Material Facts L.R. 56.1 re [491](#) MOTION for Summary Judgment *Plaintiffs' Response to Defendant Wenig's Statement of Material Facts as to Which There are no Dispute* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 528 - MEMORANDUM in Opposition re [484](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Wymer's Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 529 - Statement of Material Facts L.R. 56.1 re [484](#) MOTION for Summary Judgment *Defendant Steve Wymer's Statement of Undisputed Material Facts in Support of his Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 530 - MEMORANDUM in Opposition re [493](#) MOTION for Summary Judgment *Plaintiffs' Memorandum of Law in Opposition to Motion for Summary Judgment of Wendy Jones* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 531 - Plaintiffs' RESPONSE to Statement of Material Facts L.R. 56.1 re [493](#) MOTION for Summary Judgment *Plaintiffs' Response to Defendant Wendy Jones's Rule 56.1 Statement of Undisputed Facts in Support of her Motion for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

Docket 532 - Statement of Material Facts L.R. 56.1 re [491](#) MOTION for Summary Judgment , [493](#) MOTION for Summary Judgment , [490](#) MOTION for Summary Judgment , [486](#) MOTION for Partial Summary Judgment , [484](#) MOTION for Summary Judgment *Plaintiffs' Statement of Proposed Undisputed Facts in Opposition to Defendants' eBay, Wymer, Wenig, PFC, and Jones Motions for Summary Judgment* filed by Ina Steiner. (Lissauer, Lawrence) (Entered: 01/10/2025).

3. The above documents reference items which have been designated "Confidential" and or "Highly Confidential" under the terms of the Protective Order.

4. Under the terms of this Protective Order, parties may not publicly disclose material designated "Confidential" and or "Highly Confidential" by another party "[u]nless otherwise ordered by the Court or permitted in writing by the Designating Party." Dkt. 515 Par. 8.3. The Court has not ordered public disclosure of the referred to documents.

5. Specifically, the Plaintiffs seek to file under seal information and documents that fall into one or more of the following three categories: (a) Board Minutes; (b)

2024 Amended Protective Order (Dkt. 407) ("Protective Order"), of this Court. The Plaintiffs seek to file under seal are customarily kept confidential. Furthermore, sealing is appropriate for the same reasons set forth in prior motions submitted to this Court.

6. The Plaintiffs take no position on whether the confidentiality designation initially asserted by any party is appropriate, but seeks leave to file these documents under seal to comply with the terms of the Protective Order as directed by this Honorable Court.

7. Under the terms of the Protective Order, "a Party will have until thirty (30) days after receipt of the deposition transcript to inform the other Party or Parties to the action of the portions of the transcript to be designated 'CONFIDENTIAL' or 'HIGHLY CONFIDENTIAL - ATTORNEYS ' EYES ONLY.'" Dkt. 515 Par. 5.2(c).

8. The Plaintiff's opposition was filed timely in accordance with the 30 day window set forth by this Court.

9. A similar application was made under ECF documents 563 and 564 by the defendants.

WHEREFORE, Steiner respectfully requests that the Court allow this motion to permit the filing of the aforementioned documents in support of its motion.

Dated: February 13, 2025

Respectfully submitted,

/s/ Lawrence D. Lissauer
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Lawrence D. Lissauer

CERTIFICATION PURSUANT TO L.R. 7.1(a)(2)

I, Lawrence D. Lissauer, counsel for Steiner, hereby certify that, in accordance with Local Rule 7.1 (a)(2), counsel for Steiner conferred with counsel for all parties, asking if they had any objection to the relief requested in this motion. As of the time of filing, Steiner has not received a response.

Dated: February 13, 2025

/s/ Lawrence D. Lissauer

Lawrence D. Lissauer

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2025, this document, filed through the CM/ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

Dated : February 13, 2025

/s/ Lawrence D. Lissauer
Lawrence D. Lissauer